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FILED

MAY 28 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

United States District Court
for the Northern District of California
Oakland Division

9 STEPHEN MITCHELL

10 Plaintiff,

11 v.

12 DR. HAROLD NEMETZ, OPEN DOOR
13 COMMUNITY HEALTH CENTER, U.S.
14 DEPARTMENT OF HEALTH & HUMAN
15 SERVICES and DOES 1-20 inclusive

16 Defendants.

) CASE NO. C 07 05112 CW

) Dist. Ct. No: 9th

) **Notice of Appeal To The United**
) **States Court of Appeal From a**
) **Judgment or Order of a District**
) **Court**

17
18 Notice is hereby given that STEPHEN MITCHELL, the plaintiff in the above
19 named case, hereby appeals to the United States Court of Appeal for the Ninth
20 Circuit from the final judgment entered in this action on April 2, 2008, and all
21 interlocutory orders that gave rise to that judgment, including but not limited to
22 Minute Order dated March 6, 2008, and Order Granting Federal Defendant's
23 Motion to Dismiss entered April 2, 2008.

24 Dated: May 27, 2008

25 
26 FERMAN W. SIMS
27 Attorney for Appellant STEPHEN MITCHELL
28 Address: 519 "H" Street
Crescent City, Ca. 95531

CERTIFICATE OF SERVICE

I, JEAN F. KOLL, hereby declare that I am over the age of eighteen (18) years, and not a party to this action. My business address is 519 "H" Street; Crescent City, CA 95531.

On May 29, 2008 I served a true copy of the following document(s) in the manner described below:

NOTICE OF APPEAL

☒ **BY MAIL:** I am readily familiar with the practice of this business for collection and processing of documents for mailing with the United States Postal Service. Documents so collected and processed are placed in collection and deposited with the United States Postal Service that same day in the ordinary course of business. The above-referenced document(s) were placed in (a) sealed envelope(s) was (were) placed for collection and deposit with the United States Postal Service on the date listed below at Crescent City, California.

☐ **PERSONAL SERVICE:** By personally delivering a true copy thereof to the person and at the address set forth below:

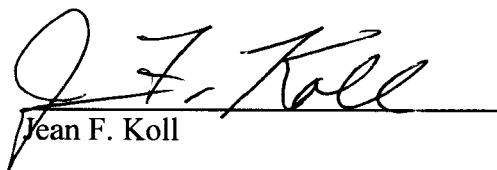
☐ **FACSIMILE:** By faxing to the person(s) and fax number set forth below:

UNITED STATES ATTORNEYS OFFICE

Attention: Melissa Brown
450 Golden Gate Avenue 11th Floor
Box 36055
San Francisco, Ca. 94102
Telephone: (415) 436-6962
Facsimile: (415) 436-6748
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Executed on May 29, 2008 at Crescent City, California. I certify and declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.


Jean F. Koll